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1 **HOUSE BILL NO. 761**

2 Offered January 14, 2026

3 Prefiled January 13, 2026

4 *A BILL to amend and reenact §§ 3.2-3700 and 3.2-3704 of the Code of Virginia, relating to fertilizer and*
5 *lime permit requirements.*

6 Patron—Runion

7 Committee Referral Pending

8 **Be it enacted by the General Assembly of Virginia:**9 **1. That §§ 3.2-3700 and 3.2-3704 of the Code of Virginia are amended and reenacted as follows:**10 **§ 3.2-3700. Definitions.**

11 As used in this chapter, unless the context requires a different meaning:

12 "Agricultural liming material" means any limestone with calcium and magnesium compounds that has the
13 capacity, and whose intended purpose is, to neutralize soil acidity.14 "Applicant" means the person who applies for, or requests, a license, or applies for registration of any
15 liming material; ~~or applies to become a contractor.~~16 "Brand" means the term, designation, trademark, product name or other specific designation under which
17 any liming material is offered for sale.

18 "Bulk" means materials in nonpackaged form.

19 "Calcium carbonate equivalent" means the acid neutralizing capacity of any liming material, expressed as
20 weight percentage of calcium carbonate.21 "Contractor" means any person required to hold a permit to sell any bulk liming material to the consumer
22 pursuant to § 3.2-3704.23 "Distributor" means any person who imports or consigns, manufactures, produces, compounds, mixes, or
24 blends any liming material, or who offers for sale, sells, barters or otherwise supplies any liming material.25 "Effective Neutralizing Value" or "ENV" means a relative value using the calcium oxide content,
26 magnesium oxide content and fineness to express the effectiveness of an agricultural liming material in
27 neutralizing soil acidity. This term is synonymous with Effective Neutralizing Power (ENP).28 "Fineness" means the percentage by weight of the material that will pass through United States Standards
29 sieves of specified sizes.30 "Industrial co-product used to neutralize soil acid" means a waste or by-product of an industrial process
31 that contains any compound not normally found in limestone that has the capacity, and whose intended
32 purpose is, to neutralize soil acidity.

33 "Kind" means one of the two classes of liming material.

34 "Label" means any written or printed matter on, or attached to, the package, or on the delivery ticket that
35 accompanies bulk shipments, of any liming material.36 "Licensed" or "licensee" means the person issued a license to distribute any liming material in the
37 Commonwealth.38 "Limestone" means a material consisting essentially of calcium carbonate, or a combination of calcium
39 carbonate and magnesium carbonate, capable of neutralizing soil acidity.40 "Liming material" means any agricultural liming material and any industrial co-product used to neutralize
41 soil acid.42 "Manufacturer" means any person who manufactures, produces, compounds, mixes, blends, imports or
43 consigns liming material, or who offers for sale, sells, barters or otherwise supplies liming material.

44 "Percent" or "percentage" means by weight.

45 "Quantity statement" means the net weight (mass), net volume (liquid or dry), count or other form of
46 measurement of a commodity.

47 "Registrant" means the person registering any liming material pursuant to the provisions of this chapter.

48 "Standard liming ton" means a ton of agricultural liming material with a calcium carbonate equivalent of
49 90 percent.50 "Stop sale, use, removal or seizure order" means an order that prohibits the distributor from selling,
51 relocating, using, or disposing of a lot of liming material, or portion thereof, in any manner, until the
52 Commissioner or a court gives written permission to sell, relocate, use or dispose of the lot of liming material
53 or portion thereof.

54 "Ton" means a unit of 2,000 pounds avoirdupois weight.

55 "Type" means the identification of the agricultural liming material as follows:

56 1. "Burnt" means any agricultural liming material with calcium and magnesium compounds capable of

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59 neutralizing soil acidity, and that consists essentially of calcium oxide, or a combination of calcium oxide and
60 magnesium oxide.

61 2. "Calcitic" means any agricultural liming material in which 85 percent or more of the total neutralizing
62 value, expressed as calcium carbonate equivalent, is derived from calcium.

63 3. "Dolomitic" means any agricultural liming material in which 15 percent or more of the total carbonate
64 content is magnesium carbonate.

65 4. "Hydrated" means any agricultural liming material, made from burnt lime, that consists essentially of:
66 (i) calcium hydroxide; (ii) a combination of calcium hydroxide, magnesium oxide and magnesium hydroxide;
67 or (iii) a combination of calcium hydroxide, and either magnesium oxide or magnesium hydroxide.

68 5. "Marl" means a granular or loosely consolidated earthy agricultural liming material composed largely
69 of calcium carbonate.

70 **§ 3.2-3704. Sale of Bulk Liming Material.**

71 A. It is unlawful for any person, other than a registrant ~~or~~, licensee, *or person who (i) is licensed to* distribute a regulated product, as that term is defined in § 3.2-3600, pursuant to § 3.2-3606; (ii) holds a valid
72 permit to be a contractor-applicator pursuant to § 3.2-3608; or (iii) is an employee or agent of a person
73 holding a valid permit to be a contractor-applicator pursuant to § 3.2-3608, to sell bulk liming material ~~unless~~
74 the person: (i) obtains a license by completing a contractor application form furnished or approved by the
75 Commissioner and pays the \$50 annual fee required to be a contractor; (ii) is an employee or agent of a
76 contractor who holds a valid permit, in which case no permit is required and no fee is due from the employee
77 or agent; or (iii) holds a valid permit to be a contractor-applicator pursuant to subsection A of § 3.2-3608, or
78 is an employee or agent of person holding a valid permit to be a contractor-applicator pursuant to subsection
79 A of § 3.2-3608, in which case no additional permit is required and no additional fee is due. Each permit to
80 do business as a contractor shall expire on June 30 of the permitting year for which the Commissioner issued
81 the permit. Every such permit shall be valid through July 31 of the next permitting year or until issuance of
82 the renewal permit, whichever occurs first, if the holder of the permit has filed a renewal application with the
83 Commissioner on or before June 30 of the permitting year for which the Commissioner issued the permit.

84 B. The Commissioner shall grant to a contractor who has failed to obtain a contractor's permit to do
85 business during the permitting year a grace period of 15 working days, starting upon issuance of notification,
86 to obtain the permit without the payment of a late fee. If the contractor fails to obtain a permit by the 15th day
87 of the grace period, the contractor shall pay to the Commissioner a \$50 late fee in addition to the permit fee,
88 and the Commissioner shall cause a stop sale, use, removal or seizure order to be issued on any liming
89 material the contractor sells until the contractor obtains the required permit.

90 C. ~~The contractor~~ A person authorized to sell bulk liming material pursuant to this section shall guarantee
91 the consumer that the contractor shall comply *he has complied* with all provisions of this chapter that apply to
92 the sale and delivery of bulk liming material.